

CATEGORICAL EXCLUSION/DECISION RECORD

Project Name: Oregon Department of Aviation Lease Amendment, OR 36784

(CE #OR116/114-08-39)

Location: Existing State Airport Facility near Pinehurst, Oregon

BLM Office: Ashland R.A., Medford District. Phone # (541) 618-2310

DESCRIPTION OF THE PROPOSED ACTION: The State of Oregon, working through the Oregon Department of Aviation, has requested a change in road access to allow for legal ingress and egress to their existing airport facility at Pinehurst, Oregon. The former route used by the State for access has been found to be legally insufficient (no easement of record) and the State is looking to correct the matter. The proposed action is to construct a new road approximately 500 feet in length with approximately 60 feet of the new road on public land in Section 5, T. 40 S., R. 4 E., Willamette Meridian. This portion of the road on BLM land will connect to the other portion of the road on private land which the State will acquire through an easement. This new route will provide the State (and the public) with the legal access they need to continue their operation of the Pinehurst Airport. All other reasonable access options have been pursued and this is the best option for providing legal access to the airport. The 60 feet on BLM has been surveyed for plants and cultural resources. No significant heritage resources or Threatened, Endangered or Sensitive plants are present. Starthistle is present on the 60 feet of BLM, but it has been treated.

PLAN CONFORMANCE

The above project has been reviewed and found to be in conformance with the *Medford District Record of Decision and Resource Management Plan*¹ as amended by the March 22, 2004 *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl*², and by the *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests within the Range of the Northern Spotted Owl to Clarify Provisions Relating to the Aquatic Conservation Strategy*³. The Medford District Resource Management Plan incorporated the *Record of Decision and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*⁴.

CATEGORICAL EXCLUSION REVIEW

The proposed action would not create adverse environmental effects under the categorical exclusion exceptions, unless as noted. The proposed action will:

<u>Yes</u>	<u>No</u>	<u>Categorical Exclusion Exception</u>
()	(X)	1. Have significant adverse effects on public health or safety.
()	(X)	2. Have significant adverse effects on unique geographic characteristics or features, or on

¹ U.S. Department of the Interior, Bureau of Land Management, Medford District Office. 1995. *Medford District Record of Decision and Resource Management Plan*. Medford, OR.

² U.S. Department of Agriculture, Forest Service and U.S. Department of the Interior, Bureau of Land Management. 2004. *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl*. Portland, OR.

³ U.S. Department of Agriculture, Forest Service and U.S. Department of the Interior, Bureau of Land Management. 2004. *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests within the Range of the Northern Spotted Owl to Clarify Provisions Relating to the Aquatic Conservation Strategy*. Portland, OR.

⁴ U.S. Department of Agriculture, Forest Service and U.S. Department of the Interior, Bureau of Land Management. 1994. *Record of Decision (ROD) for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*. Portland, OR.

special designation areas such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; sole or principle drinking water aquifers; or prime farmlands. This also includes ecologically significant or critical areas, *such as significant caves, ACEC=s, National Monuments, WSA=s, RNA=s*, and those listed on the National Register of Natural Landmarks.

<u>Yes</u>	<u>No</u>	<u>Categorical Exclusion Exception</u>
()	(X)	3. Have highly controversial environmental effects (40 CFR 1508.14).
()	(X)	4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
()	(X)	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
()	(X)	6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects. <i>This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).</i>
()	(X)	7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. <i>This includes Native American religious or cultural sites, archaeological sites, or historic properties.</i>
()	(X)	8. Have adverse effects on species listed or proposed to be listed as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species.
()	(X)	9. Fail to comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (<i>water resource development projects only</i>).
()	(X)	10. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, <i>where non-Federal requirements are consistent with Federal requirements.</i>
<u>Yes</u>	<u>No</u>	<u>Federal Law and Policy Review</u> - The proposed action will:
()	(X)	11. <i>Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan.</i>
()	(X)	12. <i>Have disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice).</i>
()	(X)	13. <i>Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites).</i>
()	(X)	14. <i>Have a significant adverse effect on Indian Trust Resources.</i>
()	(X)	15. <i>Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species).</i>
()	(X)	16. <i>Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects).</i>

/s/Kathleen P. Minor

Planning and Environmental Coordinator

7-14-08

Prepared by

Title

Date

SUMMARY OF FINDINGS

The proposed action has been reviewed against the ten criteria (#1-10 listed above) for an exception to a categorical exclusion and does not fall under any exception as identified in 516 DM 6, Appendix 2. The proposed action has also been reviewed and determined to be in compliance with other Federal law and policy (#11-16), and is therefore categorically excluded from NEPA documentation under 516 DM 6, Appendix 5 Section 5.4,E (9).

DECISION

Based on this NEPA CATEGORICAL EXCLUSION REVIEW, I have determined that the proposed action involves no significant impact to the human environment and that no further environmental analysis is required.

It is my decision to authorize the State of Oregon acting through the Department of Aviation, to locate a new road on public land in Section 5, T. 40 S., R. 4 E., W. M. as described in the Proposed Action above.

/s/John Gerritsma

Field Manager

7-15-08

Approved By

Title

Date